

REMARKS

The Office Action addresses claims 15-32. Claims 22-25 and 28 stand rejected under 35 USC §112. Claims 15-32 stand rejected under 35 USC §102. By the foregoing amendment, claim 16 is cancelled and new claims 33-35 are presented for consideration. No new matter is added. Withdrawal of the rejection and reconsideration of the claims are courteously solicited.

Claims 22-25 and 28 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claims 22 and 28 contain the phrase "loop-like". By the foregoing amendment, claims 22 and 28 have been amended to remove this language. Accordingly, withdrawal of the rejection and reconsideration of the claims are respectfully requested.

Claims 15-32 stand rejected under 35 USC §102(b) as being anticipated by Thommen Jr. U.S. Patent No. 5 524 875. This rejection is respectfully traversed.

Thommen Jr. '875 discloses a safety net system placed upright on the ground for restraining rock fall. Referring to Figure 3 of Thommen Jr. '875, a net panel 2 is secured between columns 3, and is supported by continuous top support rope 6, which is preferably a wire rope. The net panel 2 is secured to the top support rope 6 and to a bottom support rope 7 by seam ropes 16. The seam ropes 16 also connect the net panel 2 to the column 3, and are interweaved with seam ropes passing around the perimeter of adjacent net panels 2. The top and bottom support ropes 6, 7 extend to an end of the safety net system and are secured under tension to an anchor means 8 (Figure 4). The top and bottom support ropes 6, 7 pass through guide means 12 positioned on each of the columns 3. Referring to the specification of Thommen '875, column 3, lines 27-33, the net panels 2 "are secured to the end support ropes 15 and to the top and bottom support ropes 6 and 7 by

seam ropes 16 only, i.e. without the use of movement-restricting clips." Thommen Jr. '875 does not disclose an array of longitudinal wires arranged side by side and each intertwined with at least one respective adjacent longitudinal wire, and one or more longitudinal metal cables each intertwined with at least one adjacent longitudinal wire and interposed between at least two intertwined longitudinal wires, as required by amended claim 15. Instead, Thommen Jr. '875 only discloses an array of wires that are connected with other wires of the net that run substantially perpendicularly to or transversely to the runs with which they are connected, such as by cross clips 19 (see Figures 3 and 7 and specification column 4, lines 45-52). Thommen Jr. '875 therefore does not disclose each and every element of claim 15, which requires intertwining of longitudinal wires, i.e. wires running in substantially the same direction. Claims 17, 18 and 26 depend from claim 15 and should be considered patentable therewith. Further, with regard to the rejection of claim 26, column 5, lines 10-13 of Thommen Jr. '875 refer not to the primary net 2 secured to the columns 3, but to a chain link fencing 5 disposed on the uphill side of each net panel 2 to distribute impact load. This portion of chain link fencing does not include a longitudinal metal cable intertwined or interlaced with at least one adjacent longitudinal wire (see claim 15). Accordingly, withdrawal of the rejection and reconsideration of claim 26 is respectfully requested. Accordingly, withdrawal of the rejection and reconsideration of the claims are respectfully requested.

With regard to claim 19, Thommen Jr. '875 does not disclose a protective wire net comprising an array of longitudinal wires arranged side by side and each intertwined with at least one adjacent longitudinal wire, as discussed above with respect to claim 15. Further, Thommen Jr. '875 does not disclose one or more transverse wires or metal cables arranged in a transverse direction relative to the longitudinal wires, and arranged outside or inside of

intertwining regions defined by portions of the adjacent longitudinal wires which are bent around one another. Instead, first, Thommen Jr. '875 discloses longitudinal and transverse wires of the net being respectively parallel, such that longitudinal wires (i.e. wires going in the same direction) are not intertwined or twisted with one another. Further, Thommen Jr. '875 only discloses that a seam rope is wound about the edges of the net to secure same to the top and bottom support ropes, but does not disclose transverse wires or metal cables arranged in a transverse direction relative to the longitudinal wires and outside or inside the intertwining regions formed by the longitudinal wires, as required by claim 19. Therefore, Thommen Jr. '875 does not disclose each and every element of claim 19, so that claim 19 is not anticipated by Thommen Jr. '875. Claims 20-25 depend either directly or indirectly from claim 19, and should be considered patentable therewith. Accordingly, withdrawal of the rejection of claims 19-25 and reconsideration of the claims are respectfully requested.

With respect to claim 27, Thommen Jr. '875 does not disclose a protective wire net, wherein each end of transverse wires or metal cables comprises a ring anchoring means for anchoring one or more transverse wires or metal cables to one of the longitudinal wires forming the net. Instead, top and bottom support ropes 6, 7 include loops 13 presented between the net 2 and the anchoring means 8. The loops 13 are secured by a braking element 14, so that as a load is imposed on the net, the cable in the loop 13 slips through the braking element 14 in a controlled, dampened manner to prevent breakage of the net under the shock of a rock fall (column 3, lines 10-25). Thommen Jr. '875 does not disclose the claimed ring anchoring means of claim 27, which anchors the transverse wire or metal cable to a longitudinal wire in the array. Thommen Jr. '875 contains no structure that even approximates this claim element. Therefore, claim 27 should be considered patentable over Thommen Jr. '875. Claims 28-31, which depend

from claim 27, should be considered patentable therewith. Accordingly, withdrawal of the rejection and reconsideration of the claims are respectfully requested.

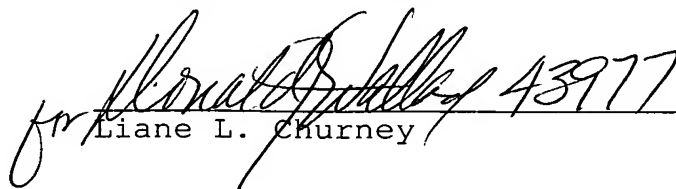
Claim 32 is drawn to a use of a protective wire net having a structure according to claim 29. Inasmuch as claim 29 is not anticipated by Thommen Jr. '875, as discussed above, claim 32 should also be considered patentable thereover. Accordingly, withdrawal of the rejection and reconsideration of claim 32 are respectfully requested.

New claim 33 is presented for consideration. Claim 33 is drawn to a protective wire net comprising an array of longitudinal wires arranged side by side and each intertwined with at least one respective adjacent longitudinal wire. One or more longitudinal metal cables each intertwined or interlaced with at least one adjacent longitudinal wire are provided, the longitudinal metal cables having portions around which twisted portions of the at least two adjacent wires are twisted. This arrangement is not disclosed by the cited prior art references, in that Thommen Jr. '875 discloses an array of parallel longitudinal and transverse wires which are not intertwined. No new matter is added. Favorable consideration is respectfully requested.

New claims 34 and 35 contain claim elements removed from claims 22 and 28, and depend therefrom, respectively. No new matter is added.

In light of the foregoing amendments and remarks, the claims remaining in the application are believed to be in condition for allowance and early notice of allowability is courteously solicited. If necessary to further prosecution of the application, the Examiner is invited to contact the Applicant's representatives listed below.

Respectfully submitted,

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